

House File 616 - Enrolled

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HOUSE FILE 616

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AN ACT

REVISING REQUIREMENTS APPLICABLE TO COUNTY AND MULTICOUNTY
DECATEGORIZATION OF CHILD WELFARE AND JUVENILE JUSTICE
FUNDING PROJECTS.

1 8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
1 9

1 10 Section 1. Section 232.188, Code 2005, is amended by
1 11 striking the section and inserting in lieu thereof the
1 12 following:

1 13 232.188 DECATEGORIZATION OF CHILD WELFARE AND JUVENILE
1 14 JUSTICE FUNDING INITIATIVE.

1 15 1. DEFINITIONS. For the purposes of this section, unless
1 16 the context otherwise requires:

1 17 a. "Decategorization governance board" or "governance
1 18 board" means the group that enters into and implements a
1 19 decategorization project agreement.

1 20 b. "Decategorization project" means the county or counties
1 21 that have entered into a decategorization agreement to
1 22 implement the decategorization initiative in the county or
1 23 multicounty area covered by the agreement.

1 24 c. "Decategorization services funding pool" or "funding
1 25 pool" means the funding designated for a decategorization
1 26 project from all sources.

1 27 2. PURPOSE. The decategorization of the child welfare and
1 28 juvenile justice funding initiative is intended to establish a
1 29 system of delivering human services based upon client needs to
1 30 replace a system based upon a multitude of categorical
1 31 programs and funding sources, each with different service
1 32 definitions and eligibility requirements. The purposes of the
1 33 decategorization initiative include but are not limited to
1 34 redirecting child welfare and juvenile justice funding to
1 35 services which are more preventive, family-centered, and
2 1 community-based in order to reduce use of restrictive
2 2 approaches which rely upon institutional, out-of-home, and
2 3 out-of-community services.

2 4 3. IMPLEMENTATION.

2 5 a. Implementation of the initiative shall be through
2 6 creation of decategorization projects. A project shall
2 7 consist of either a single county or a group of counties
2 8 interested in jointly implementing the initiative.
2 9 Representatives of the department, juvenile court services,
2 10 and county government shall develop a project agreement to
2 11 implement the initiative within a project.

2 12 b. The initiative shall include community planning
2 13 activities in the area covered by a project. As part of the
2 14 community planning activities, the department shall partner
2 15 with other community stakeholders to develop service
2 16 alternatives that provide less restrictive levels of care for
2 17 children and families receiving services from the child
2 18 welfare and juvenile justice systems within the project area.

2 19 c. The decategorization initiative shall not be
2 20 implemented in a manner that limits the legal rights of
2 21 children and families to receive services.

2 22 4. GOVERNANCE BOARD.

2 23 a. In partnership with an interested county or group of
2 24 counties which has demonstrated the commitment and involvement
2 25 of the affected county department, or departments of human
2 26 services, the juvenile justice system within the project area,
2 27 and board, or boards, of supervisors in order to form a
2 28 decategorization project, the department shall develop a
2 29 process for combining specific state and state=federal funding
2 30 categories into a decategorization services funding pool for
2 31 that project. A decategorization project shall be implemented
2 32 by a decategorization governance board. The decategorization
2 33 governance board shall develop specific, quantifiable short=
2 34 term and long-term plans for enhancing the family-centered and
2 35 community-based services and reducing reliance upon out-of=
3 1 community care in the project area.

3 2 b. The department shall work with the decategorization
3 3 governance boards to best coordinate planning activities and
3 4 most effectively target funding resources. A departmental
3 5 service area manager shall work with the decategorization

3 6 governance boards in that service area to support board
3 7 planning and service development activities and to promote the
3 8 most effective alignment of resources.

3 9 c. A decategorization governance board shall coordinate
3 10 the project's planning and budgeting activities with the
3 11 departmental service area manager for the county or counties
3 12 comprising the project area and the community empowerment area
3 13 board or boards for the community empowerment area or areas
3 14 within which the decategorization project is located.

3 15 5. FUNDING POOL.

3 16 a. The governance board for a decategorization project has
3 17 authority over the project's decategorization services funding
3 18 pool and shall manage the pool to provide more flexible,
3 19 individualized, family-centered, preventive, community-based,
3 20 comprehensive, and coordinated service systems for children
3 21 and families served in that project area. A funding pool
3 22 shall also be used for child welfare and juvenile justice
3 23 systems enhancements.

3 24 b. Notwithstanding section 8.33, moneys designated for a
3 25 project's decategorization services funding pool that remain
3 26 unencumbered or unobligated at the close of the fiscal year
3 27 shall not revert but shall remain available for expenditure as
3 28 directed by the project's governance board for child welfare
3 29 and juvenile justice systems enhancements and other purposes
3 30 of the project until the close of the succeeding fiscal year
3 31 and shall be known as "carryover funding". Moneys may be made
3 32 available to a funding pool from one or more of the following
3 33 sources:

3 34 (1) Funds designated for the initiative in a state
3 35 appropriation.

4 1 (2) Child welfare and juvenile justice services funds
4 2 designated for the initiative by a departmental service area
4 3 manager.

4 4 (3) Juvenile justice program funds designated for the
4 5 initiative by a chief juvenile court officer.

4 6 (4) Carryover funding.

4 7 (5) Any other source designating moneys for the funding
4 8 pool.

4 9 c. The services and activities funded from a project's
4 10 funding pool may vary depending upon the strategies selected
4 11 by the project's governance board and shall be detailed in an
4 12 annual child welfare and juvenile justice decategorization
4 13 services plan developed by the governance board. A
4 14 decategorization governance board shall involve community
4 15 representatives and county organizations in the development of
4 16 the plan for that project's funding pool. In addition, the
4 17 governance board shall coordinate efforts through
4 18 communication with the appropriate departmental service area
4 19 manager regarding budget planning and decategorization service
4 20 decisions.

4 21 d. A decategorization governance board is responsible for
4 22 ensuring that decategorization services expenditures from that
4 23 project's funding pool do not exceed the amount of funding
4 24 available. If necessary, the governance board shall reduce
4 25 expenditures or discontinue specific services as necessary to
4 26 manage within the funding pool resources available for a
4 27 fiscal year.

4 28 e. The annual child welfare and juvenile justice
4 29 decategorization services plan developed for use of the
4 30 funding pool by a decategorization governance board shall be
4 31 submitted to the department administrator of child welfare
4 32 services and the Iowa empowerment board. In addition, the
4 33 decategorization governance board shall submit an annual
4 34 progress report to the department administrator and the Iowa
4 35 empowerment board which summarizes the progress made toward
5 1 attaining the objectives contained in the plan. The progress
5 2 report shall serve as an opportunity for information sharing
5 3 and feedback.

5 4 6. DEPARTMENTAL ROLE. A departmental service area's share
5 5 of the child welfare appropriation that is not allocated by
5 6 law for the decategorization initiative shall be managed by
5 7 and is under the authority of the service area manager. A
5 8 service area manager is responsible for meeting the child
5 9 welfare service needs in the counties comprising the service
5 10 area with the available funding resources.

5 11 Sec. 2. Section 232.190, subsection 3, Code 2005, is
5 12 amended to read as follows:

5 13 3. Applications for moneys from the community grant fund
5 14 shall demonstrate a collaborative effort by all relevant local
5 15 government and school officials and service agencies with
5 16 authority, responsibilities, or other interests within the

5 17 decategorization project area. Proposed plans set forth in
5 18 the applications shall reflect community-wide consensus in how
5 19 to remediate community problems related to juvenile crime.
5 20 Services provided under a grant through this program shall be
5 21 comprehensive, preventive, community-based, and shall utilize
5 22 flexible delivery systems and promote youth development. A
5 23 plan for grant moneys under this section shall be a part of or
5 24 be consistent with the annual child welfare and juvenile
5 25 justice decategorization services plan developed by the
5 26 governance board of the decategorization project area and
5 27 submitted to the department of human services and Iowa
5 28 empowerment board pursuant to section 232.188.

5 29 Sec. 3. Section 235.7, subsection 2, Code 2005, is amended
5 30 to read as follows:

5 31 2. MEMBERSHIP. The department may authorize the
5 32 governance boards of decategorization of child welfare and
5 33 juvenile justice funding decategorization projects established
5 34 under section 232.188 to appoint the transition committee
5 35 membership and may utilize the boundaries of decategorization
6 1 projects to establish the service areas for transition
6 2 committees. The committee membership may include but is not
6 3 limited to department of human services staff involved with
6 4 foster care, child welfare, and adult services, juvenile court
6 5 services staff, staff involved with county general relief
6 6 under chapter 251 or 252, or of the central point of
6 7 coordination process implemented under section 331.440, school
6 8 district and area education agency staff involved with special
6 9 education, and a child's court appointed special advocate,
6 10 guardian ad litem, service providers, and other persons
6 11 knowledgeable about the child.

6 12 Sec. 4. Section 237A.1, subsection 3, paragraph k,
6 13 subparagraph (2), Code 2005, is amended to read as follows:

6 14 (2) A contract approved by a local decategorization
6 15 governance board of a decategorization of child welfare and
6 16 juvenile justice funding project created under section
6 17 232.188.

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6 20 _____
6 21 CHRISTOPHER C. RANTS
6 22 Speaker of the House
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6 24 _____
6 25 JOHN P. KIBBIE
6 26 President of the Senate
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6 28 I hereby certify that this bill originated in the House and
6 29 is known as House File 616, Eighty-first General Assembly.

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6 32 _____
6 33 MARGARET THOMSON
6 34 Chief Clerk of the House

6 35 Approved _____, 2005

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7 4 THOMAS J. VILSACK
7 5 Governor